

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Matsui et al.	Examiner:	Alain L. Bashore
Serial No.:	10/593,514	Group Art Unit:	1792
Confirmation No.:	1703	Docket:	1038-13 PCT/US
Filed:	April 9, 2007	Dated:	April 6, 2009
For:	MAGNETIC NANOTUBES		

Certificate of EFS-Web Transmission

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office via the Office's electronic filing system on April 6, 2009.

Barbara Evers

(Printed Name)

Signature: / Barbara evers/

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Claims 1-26 are pending in the above-referenced application. In the March 5, 2009 Office Action, the Examiner imposed a Restriction Requirement to one of the following inventions :

Group I: Claims 1-12, drawn to a method

Group II: Claims 13-26, drawn to a product

In response, Applicants elect **Group II** without traverse.

The examiner has stated that if claims directed to the product are elected, and the product claims are subsequently found allowable, withdrawn process claims that depend from, or otherwise require all the limitations of the allowable product claims, will be considered for rejoinder. In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability. See Office Action paragraph 6 on pages 3 and 4.

Application No.: 10/593,514
Filing Date: April 9, 2007
Docket No.: 1038-13 PCT/US
Page 2

In view of the present election, it is believed that this application is in condition for further consideration and examination. If resolution of any remaining issues is required prior to examination of the application, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,

/susan a. sipos/
Susan A. Sipos
Registration No.: 43,128
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
SAS/be